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# CBS Producer Testifies As a 'Hostile Witness'

By M. A. FARBER

Beginning a new phase of their case, lawyers for Gen. William C. Westmoreland called to the stand as a "hostile witness" yesterday the CBS producer who was chiefly responsible for the 1982 documentary on Vietnam that is the subject of the general's \$120 million libel suit.

George Crile, the 39-year-old producer who is a co-defendant with CBS and others, began testifying late in the day as the first of a half-dozen CBS employees the plaintiff will call in an effort to show the network knew or should have known it was falsely accusing the general of conspiring to deceive his superiors about enemy troop strength in South Vietnam in 1967.

Dan M. Burt, General Westmoreland's principal attorney, opened his examination of Mr. Crile by suggesting that, in 1980, the producer was relatively inexperienced, had been criticized for some of his earlier work at CBS and was under pressure from his superiors at CBS to find a project he could undertake without the assistance of a co-producer.

Mr. Crile said he approached all his work professionally.

"I always made an effort to be as careful as I could be and to be as faithful to events as was possible," he said. He said it was the job of his superiors to "complain" about the work of all the CBS producers who carried out projects for them.

## McNamara to Testify

For nine weeks, the jury in Federal District Court has listened to the testimony of 16 witnesses from the military, civilian intelligence agencies and the White House of President Johnson. All of them have focused on the question of whether the charges contained in the documentary were true. And, today, Mr. Crile's testimony will be interrupted to allow the jury to hear from Robert S. McNamara, the Secretary of Defense under Presidents Kennedy and Johnson.

But, with the testimony of Mr. Crile, General Westmoreland's lawyers are now directing their case to the practices of making documentaries for television and specifically to the preparation of the 90-minute broadcast titled "The Uncounted Enemy: A Vietnam Deception" in 1980 and 1981.

The importance of what CBS knew when it put the documentary together was underscored yesterday by David Boies, the lawyer for the network, just after General Westmoreland completed nine days of testimony.

In a brief interim summation to the jury — an unusual feature of this trial permitted by Judge Pierre N. Leval — Mr. Boies told the jury that "to prevail" in the suit, the general "must prove not only that the broadcast was false — and we think he has failed to do that, and, indeed, we think that the witnesses that will come on throughout

this trial will demonstrate that it was true.

"But, aside from that issue, he must prove that CBS, at the time the broadcast was put on, knew that the broadcast was false or was reckless about it," Mr. Boies said.

## Contents Broadcast 'Untrue'

Mr. Burt, in his own interim summation, said the witnesses who preceded Mr. Crile had established that "the CBS broadcast was untrue" and that any other conclusion was "simply ridiculous." The testimony of these witnesses, he said, proved that the general "couldn't have suppressed anything if he wanted to."

General Westmoreland, who is 70, was commander of United States forces in Vietnam from January 1964 to June 1968, when he became Chief of Staff of the Army.

The CBS broadcast alleged a "conspiracy" by his command in Vietnam to "suppress and alter critical intelligence on the enemy" in the year before the Tet offensive of January 1968.

The purpose of the "conspiracy," according to the documentary, was to minimize North Vietnamese and Vietcong strength to show that America was winning the war. The broadcast said General Westmoreland imposed an "arbitrary ceiling" of 300,000 on reports of enemy size, partly by dropping the Vietcong's self-defense forces from the official listing of enemy strength known as the order of battle.

Besides CBS and Mr. Crile, the defendants in the case are Mike Wallace, the broadcast's narrator, and Samuel A. Adams, a 51-year old former Central Intelligence Agency analyst who served as a paid consultant to the network on the documentary.

## Producer Knew C.I.A. Analyst

Mr. Adams was a C.I.A. specialist on Vietnam in 1967, when the agency clashed with General Westmoreland's command over the estimates of the size and nature of North Vietnamese and Vietcong strength. Mr. Adams had argued for substantially higher figures than General Westmoreland and his

senior military intelligence officers were willing to accept. And, even before Mr. Adams resigned from the C.I.A. in 1973, he had concluded that the military had engaged in "deception" over the numbers.

Yesterday, Mr. Crile testified that when he was working at Harper's magazine in 1975, he edited an article by Mr. Adams on this theme. He said he had known Mr. Adams since the early 1970's.

Mr. Crile said the article generated hearings by a House Select Committee on Intelligence and that the committee's counsel, Greg Rushford, told him the committee supported Mr. Adams's thesis and was impressed by his "mastery" of the subject.

In 1976, Mr. Crile said, he joined CBS as a correspondent/producer — essentially a reporter's position — and worked during the next four years on a variety of hour or two-hour documentaries, always with a co-producer. He also did shorter assignments for CBS News, he said.

## Questioned About 1980 Program

Mr. Burt brought out that, in 1980, Mr. Crile was criticized for a documentary he co-produced called "Gay Power, Gay Politics," a study of the political power exercised by homosexuals during a San Francisco mayoralty campaign in 1979.

As the result of an editing error, Mr. Crile said, applause that had occurred at one point in a speech by Diane Feinstein, the Mayor of San Francisco, had been inserted "a few seconds" later in the broadcast.

Mr. Crile denied that his immediate superior at CBS in 1980, Howard Stringer, an executive producer, was "unhappy" with his work, and said he received "the most challenging" assignments "given during that time." Mr. Stringer, he said, thought the "Gay Power, Gay Politics" broadcast was "a sound piece of work."

Mr. Crile said that Robert Chandler, who was then a CBS vice president for administration, told him "on a number of occasions" before 1980 that he should "do a show on his own." But Mr. Chandler, he said, did not mean it critically. Having a single producer on a documentary, Mr. Crile said, offered "more return on the dollar."

Mr. Crile said he saw Mr. Adams infrequently after 1976. In the spring of 1980, when he was in Washington, Mr. Crile said, he called Mr. Adams to ask whether he could bring his daughter to Mr. Adams's farm in Virginia to see cows.

Q. Were you looking for a story when you called Adams?

A. No, my daughter was a New York girl of 3 who had not seen a patch of lawn other than Central Park and I thought it would be a good educational experience for her.

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But Mr. Crile said he and Mr. Adams discussed the book Mr. Adams was then writing on the enemy strength dispute in 1967. The book, for which Mr. Adams was given a contract by W. W. Norton after the Harper's article appeared, has yet to be published.

In the fall of 1980, Mr. Crile said, he proposed the documentary on Vietnam to CBS, based largely on Mr. Adams's "rather extraordinary research." The proposal was made in the form of a 16-page "blue sheet" that, yesterday, was admitted into evidence. Mr. Crile said that, if the idea for a program does not originate with superiors at CBS, a producer has "to sell his story."

When Mr. Burt suggested that the "blue sheet," with its many references to a "conspiracy" by General Westmoreland and others, showed that Mr. Crile had a preconceived notion of the documentary, the producer stressed that such a proposal "inevitably has an operating premise."

At the close of testimony, Judge Leval instructed the jury that a "preliminary document" like the "blue sheet" could not be considered with regard to CBS's "state of mind" when it ultimately prepared the documentary.